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Sixtieth Session

VERBATIM RECORD OF THE SEVENTEEN HUNDRED AND SECOND MEETING

Held at Headquarters, New York,
on Monday, 1 November 1993

President: Mr. RICHARDSON (United Kingdom)

- Adoption of an additional agenda item 1 (T/1970/Add.2)

- Letter dated 9 September 1993 from the Deputy Permanent Representative of the United States of America to the united nations addressed to the President of the Trusteeship Council (T/1975), informing the Council of the intention of the Government of Palau to hold a plebiscite regarding the Compact of Free Association and inviting the Trusteeship Council to consider the dispatch of a mission to observe this plebiscite (T/1975, T/1976, T/L.1288 and T/L.1289)

- Examination of petitions

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The meeting was called to order at 10.20 a.m.

ADOPTION OF AN ADDITIONAL AGENDA ITEM 1 (T/1970/Add.2)

The PRESIDENT: I should like to express special greetings and thanks to all those who have joined us today in preparation for the next stage of our proceedings and for the dispatch of a mission to observe the referendum in Palau.

May I draw members' attention to agenda item 14, which is contained in document T/1970/Add.2, relating to an invitation addressed to the Trusteeship Council from the Administering Authority to observe the forthcoming plebiscite in Palau.

If there are no comments and there is no objection, I shall consider agenda item 14, contained in document T/1970/Add.2, to have been adopted.

It was so decided.

LETTER DATED 9 SEPTEMBER 1993 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE TRUSTEESHIP COUNCIL (T/1975), INFORMING THE COUNCIL OF THE INTENTION OF THE GOVERNMENT OF PALAU TO HOLD A PLEBISCITE REGARDING THE COMPACT OF FREE ASSOCIATION AND INVITING THE TRUSTEESHIP COUNCIL TO CONSIDER THE DISPATCH OF A MISSION TO OBSERVE THIS PLEBISCITE (T/1975, T/1976, T/L.1288 and T/L.1289)

The PRESIDENT: In connection with this item, I wish to inform members of the Council that the delegations of the Marshall Islands and of Samoa have asked to be allowed to sit at the Council table during this meeting. In accordance with rule 12 of the rules of procedure of the Trusteeship Council, and with the Council's consent, I propose to invite those representatives to take places at the Council table and to participate, without the right to vote, in the Council's deliberations.

May I take it that the Council agrees to my proposal?

It was so decided.

At the invitation of the President, Mr. Heine (Marshall Islands) and Mr. Slade (Samoa) took places at the Council table.

The PRESIDENT: As Council members are aware, this meeting has been convened to consider the letter dated 9 September 1993 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the Council (T/1975), informing the Council that President Nakamura of Palau has issued executive order 124, dated 6 August 1993. This executive order decreed that the Government of Palau would hold a plebiscite regarding the Compact of Free Association on 9 November 1993. With reference to resolution 2196 (LX) of 17 May 1993, and also to his letter (T/1974) to me of 13 May 1993 on this matter, the United States Government invited the Trusteeship Council to send a mission to observe this plebiscite.

I also wish to draw members' attention to a letter (T/1976) dated 11 October 1993 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the Council containing a copy of a letter dated 5 October 1993 from the President of the Republic of Palau, Mr. Nakamura, to the Deputy Assistant Secretary of the United States Department of State, Mr. Kenneth Quinn, concerning the 9 November plebiscite on the Compact of Free Association between the United States of America and the Republic of Palau.

In this connection, I call on the representative of the United States, the Administering Authority.

Mr. WALLACE (United States of America): For the benefit of members of the Council, I should like to read out a letter of 29 October from the President of the Republic of Palau, Mr. Kuniwo Nakamura, to the United States Government, which is as follows:

"We are pleased to be able to advise you that the Appellate Division of Palau's Supreme Court has reaffirmed the

(Mr. Wallace, United States)

trial court's decisions of October of 1992 and July of 1993. As you know, in the October decision the court held that the amendment by popular initiative was appropriately brought and in the July decision the court held that the voters were neither confused nor misled by the ballot language of the constitutional amendment initiative and that voters were adequately informed of the substance of the amendment. A copy of the Appellate Division's decision has already been forwarded to the United States Liaison Office.

"Accordingly, we look forward to the arrival of the United Nations Trusteeship Council to observe the November 9th plebiscite on the Compact of Free Association.

"Please accept our thanks for your continued support during this crucial period for the Republic."

The United States also looks forward to welcoming the United Nations Trusteeship Council delegation to Palau to observe the democratic process in operation.

Your support, Mr. President, and the support of the Council are greatly appreciated.

The PRESIDENT: The Council will now take up draft resolution T/L.1288, concerning the dispatch of a visiting mission to Palau to observe the plebiscite of 9 November 1993.

In that connection, I should like to draw the attention of members to document T/1289, relating to the financial implications of the draft resolution.

The draft resolution was prepared according to the format of previous resolutions that the Council has adopted on the dispatch of visiting missions. As all members are aware, at our 1701st meeting, on 17 May this year, we adopted a similar resolution on this item.

(The President)

The draft resolution is sponsored by China, France, the Russian Federation and the United Kingdom.

By adopting it, the Trusteeship Council will direct the visiting mission to observe the plebiscite - specifically, polling arrangements; the casting of votes; the closure of voting; the counting of ballots; and the declaration of the results.

The visiting mission is requested to submit a report to the Trusteeship Council on its observations of the plebiscite. These will be considered before the closure of the sixtieth session of the Council. The mission will be composed of representatives of China, France, the Russian Federation, the United Kingdom, the Marshall Islands and Samoa.

It is my understanding that members of the Council agree to waive rule 57 of our rules of procedure, which specifies that reports and draft resolutions should be circulated to members 24 hours in advance of the meeting at which they are to be considered.

It was so decided.

The PRESIDENT: May I take it that the Council is prepared to adopt the draft resolution without a vote?

The draft resolution was adopted.

The PRESIDENT: Following past practice, I suggest that the Council decide that the names of the persons to be submitted by the Governments concerned will automatically be approved when they are received.

It was so decided.

EXAMINATION OF PETITIONS

The PRESIDENT: The Council has received one petition (T/PET.10/762) and two communications (T/INF/41/A/COM.7 and 8), relating to agenda item 14. In accordance with established

(The President)

practice, copies of these communications were made available to members of the Council by the Secretariat.

I propose that the Council take note of these communications.

It was so decided.

The PRESIDENT: The Council has thus concluded its consideration of the items on its agenda for this brief meeting.

I should like to take this opportunity to thank all members and, as always, to express my gratitude to the secretariat and all others concerned for the help they have extended to me, at quite short notice, in preparing for this meeting.

I understand that the visiting mission members will depart for Palau tomorrow, 2 November. I should like to wish all of them the best of luck and the best of success in their mission.

The meeting rose at 10.30 a.m.